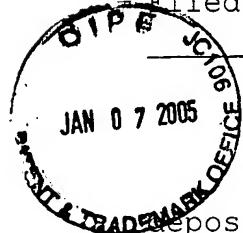


In re Patent Application of:
MORIN ET AL.
Serial No. **10/701,165**
Confirmation No. **5541**
Filed: **11/4/03**



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, on this 3rd day of January, 2005.

A handwritten signature in black ink that reads "Justin J. Goss".



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

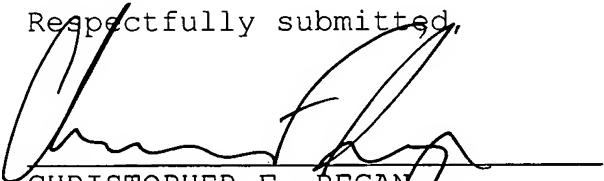
In re Patent Application of:)
MORIN ET AL.)
)
Serial No. 10/701,165) Examiner: S. Gebremariam
)
Confirmation No. 5541) Art Unit: 2811
)
Filing Date: November 4, 2003) Attorney Docket:
) 02GR1098/54488
For: SEMICONDUCTOR DEVICE WITH MOS)
TRANSISTORS WITH AN ETCH-STOP LAYER)
HAVING AN IMPROVED RESIDUAL STRESS)
LEVEL AND METHOD FOR FABRICATING)
SUCH A SEMICONDUCTOR DEVICE)
)

RESPONSE TO REQUIREMENT FOR RESTRICTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The restriction requirement mailed on December 2, 2004
incorrectly considered canceled Claims 1-11. Applicants
respectfully request that a new office action be issued directed to
Claims 12-38 added by Preliminary Amendment of November 4, 2003
(see attached facsimile transmission of December 6, 2004).

Respectfully submitted,

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